

**STATE OF NEW YORK
SUPREME COURT****COUNTY OF ALBANY**

JANE DOE,

Plaintiff,

SUMMONS

-against-

Index No.:

ROBERT C. GEEL,

Defendant.

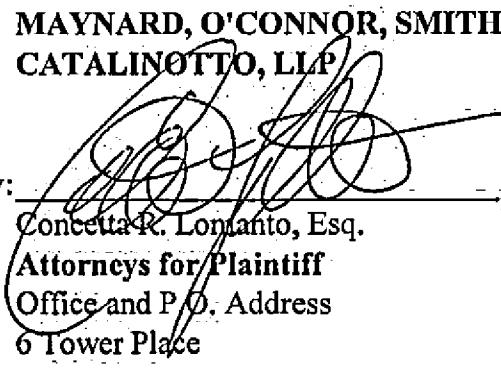
To the above named defendants:

YOU ARE HEREBY SUMMONED to appear in the above-captioned action and serve an answer to the Verified Complaint on the attorneys for the plaintiff within twenty (20) days after the service of this Summons upon you, exclusive of the day of service, or within thirty (30) days after service is complete if this Summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Trial is desired in County of Albany. The basis of venue is the county in which a substantial part of the events or omissions giving rise to the claim occurred.

Dated: 8/23/2019**MAYNARD, O'CONNOR, SMITH & CATALINOTTO, LLP**

By: _____



Concetta R. Lomanto, Esq.
Attorneys for Plaintiff
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6 Tower Place
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STATE OF NEW YORK
SUPREME COURT

COUNTY OF ALBANY

JANE DOE,

COMPLAINT

Plaintiff,

Index No.:

-against-

ROBERT C. GEEL,

Defendant.

Plaintiff, JANE DOE, by her attorneys, Maynard, O'Connor, Smith & Catalinotto, LLP, as and for a Complaint alleges as follows:

1. That at all times hereinafter mentioned, the Plaintiff, JANE DOE, is a resident of the County of Saratoga, State of New York.
2. That at all times herein after mentioned, upon information and belief, the Defendant, ROBERT C. GEEL, was and still is a resident of the County of Albany, State of New York.

NATURE OF ACTION

3. Plaintiff repeats and reiterates each and every allegation contained in paragraphs "1" through "2" as if more fully set forth herein.
4. Upon information and belief, Defendant married Gloria Lent in approximately 1971.
5. Upon information and belief, Defendant adopted Gloria Lent's two minor children in approximately 1972, one of those minor children being Plaintiff and her older sister.

6. Upon information and belief, Defendant and Plaintiff resided together at 275 Delaware Ave., in the City of Albany, County of Albany, and State of New York from approximately 1972 to 1974.

7. Upon information and belief, Defendant and Plaintiff then resided together at 75 Dempster Street, in the Village of RAVENA, County of Albany, and State of New York from approximately 1974 to 1979.

8. Upon information and belief, from approximately 1974 to September 16, 1979, while residing with Defendant at 75 Dempster Street, in the Village of RAVENA, County of Albany, and State of New York, the Plaintiff was forced to endure severe physical, emotional and sexual abuse by the hands of the Defendant.

9. Upon information and belief, Defendant was arrested on September 16, 1979, by the New York State Police after Plaintiff's mother reported that Defendant had been abusing her two daughters.

10. Upon information and belief, Defendant admitted to New York State Police Investigator Richard A. Crist on September 16, 1979, that Defendant had grabbed the Plaintiff and her sister on the breast and crotch on multiple occasions and would wrestle with them against their will.

11. Upon information and belief, Defendant also admitted to New York State Police Investigator Richard A. Crist on September 16, 1979, that Defendant had exposed his penis to the Plaintiff and her sister on multiple occasions.

12. Upon information and belief, Defendant was indicted by The Grand Jury of the County of Albany, New York, on October 11, 1979 with Sexual Abuse in the First Degree, in violation of Section 130.65(1) of the Penal Law of the State of New York, a Class D Felony, for

subjecting Plaintiff to sexual contact on September 10, 1979, consisting of placing his hands in and on the vagina and breasts of the Plaintiff while using forcible compulsion consisting of grabbing and restraining her.

13. Upon information and belief, Defendant was indicted by The Grand Jury of the County of Albany, New York, on October 11, 1979 with Sexual Abuse in the First Degree, in violation of Section 130.65(1) of the Penal Law of the State of New York, a Class D Felony, for subjecting Plaintiff to sexual contact on September 12, 1979, consisting of placing his hands in and on the vagina and breasts of the Plaintiff while using forcible compulsion consisting of grabbing and restraining her.

14. Upon information and belief, Defendant plead guilty to Attempted Sexual Assault in the First Degree, in violation of Section 110.00 of the Penal Law of the State of New York as defined in Section 130.65 Subdivision 1 of said Penal Law, a Class E felony.

15. Upon information and belief, Defendant was convicted of Attempted Sexual Assault in the First Degree, in violation of Section 110.00 of the Penal Law of the State of New York as defined in Section 130.65 Subdivision 1 of said Penal Law, a Class E felony, pursuant to a plea of guilty.

16. Upon information and belief, on May 1, 1980, as a result of Defendant's conviction of Attempted Sexual Assault in the First Degree, in violation of Section 110.00 of the Penal Law of the State of New York as defined in Section 130.65 Subdivision 1 of said Penal Law, a Class E felony, Defendant was sentenced to an indeterminate sentence of imprisonment which had a maximum term of three years by Albany County Judge, Hon. Joseph Harris.

17. Upon information and belief, Defendant served an indeterminate sentence of imprisonment which had a maximum term of three years at Clinton Correctional Facility located in Dannemora, New York.

AS FOR A FIRST CAUSE OF ACTION AGAINST DEFENDANT
(SEXUAL ABUSE)

18. The Plaintiff reiterates and incorporates all facts and allegations expressed in paragraphs "1" through "17", inclusive, as if alleged and incorporated herein.

19. That at all times herein after mentioned, upon information and belief, the Defendant did subject the then infant Plaintiff to non-consensual sexual contact consisting of placing his hands in the vagina and on the breasts and body of the aforesaid Plaintiff, and by forcing contact by his mouth to her genitals.

20. That at all times herein after mentioned, upon information and belief, the Defendant subjected Plaintiff to repeated non-consensual sexual contact while using forcible compulsion consisting of grabbing her and restraining her.

21. That at all times herein after mentioned, upon information and belief, the Defendant used forcible compulsion by means of grabbing, holding down, wrestling, restraining, repressing, and subduing the then infant Plaintiff.

22. That at all times herein after mentioned, upon information and belief, the Defendant would repeatedly sexually assault and rape the then infant plaintiff when her mother and sister were not home.

23. Defendant's conduct in knowingly and inappropriately placing his hands in the vagina and on the breasts of Plaintiff by forcible compulsion was done with malice disregard for Plaintiff's life and wellbeing. Accordingly, punitive damages are warranted.

AS FOR A SECOND CAUSE OF ACTION AGAINST DEFENDANT
(ASSAULT)

24. The Plaintiff reiterates and incorporates all facts and allegations expressed in paragraphs "1" through "17", inclusive, as if alleged and incorporated herein.

25. That at all times herein after mentioned, upon information and belief, the Defendant acted and intended to cause harmful contact on the Plaintiff.

26. That at all times herein after mentioned, upon information and belief, the Defendant repeatedly touched and assaulted Plaintiff in a harmful manner.

27. That at all times herein after mentioned, Plaintiff did not consent to the Defendant's assaultive conduct.

28. That at all times herein after mentioned, Plaintiff was severely harmed by the Defendant's assault on Plaintiff.

29. That at all times herein after mentioned, upon information and belief, the Defendant's assaultive conduct was a substantial factor in causing the Plaintiff's harm.

30. Defendant's conduct in knowingly and inappropriately touching and assaulting Plaintiff repeatedly without her consent was done with malice disregard for Plaintiff's life and wellbeing. Accordingly, punitive damages are warranted.

AS FOR A THIRD CAUSE OF ACTION AGAINST DEFENDANT
(INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS)

31. The Plaintiff reiterates and incorporates all facts and allegations expressed in paragraphs "1" through "17", inclusive, as if alleged and incorporated herein.

32. The conduct of the Defendant in repeatedly sexually abusing and assaulting Plaintiff was outrageous in that it exceeded all possible bounds of decency and humility, and that which a reasonable person would regard as intolerable in a civilized community.

33. The conduct of the Defendant in repeatedly sexually abusing and assaulting Plaintiff gave Defendant real or apparent power to affect the then infant Plaintiff's interests, and he knew that the Plaintiff was particularly vulnerable to emotional distress and that their conduct would likely result in harm due to mental distress.

34. The Defendant intended to cause the Plaintiff emotional distress by subjecting her to forcible non-consensual sexual contact consisting of placing his hands in her vagina, on her breasts and body and by forcing contact by his mouth to her genitals.

35. The Plaintiff suffered severe emotional distress that was substantial, and that no reasonable person in a civilized society should be expected to bear, including but not limited to severe suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, and shame.

36. The conduct of the Defendant was a substantial factor in causing the Plaintiff's severe emotional distress.

37. Defendant's conduct in knowingly causing severe emotional distress to the Plaintiff was done with malice disregard for Plaintiff's life and wellbeing. Accordingly, punitive damages are warranted.

CLAIM FOR PUNITIVE DAMAGES

38. The Plaintiff reiterates and incorporates all facts and allegations expressed in paragraphs "3" through "37", inclusive, as if alleged and incorporated herein.

39. Because the Defendant's conduct was malicious, oppressive, vicious, hateful, malevolent, cruel, inhuman, reprehensible, detrimental and baneful, the Plaintiff is entitled to be awarded punitive damages to punish the Defendant for his wrongful conduct as it was repeated, persistent, endless, insistent, relentless, and unrelenting.

DAMAGES:

40. Plaintiff repeats and reiterates each and every allegation contained in paragraphs "1" through "37" as if more fully set forth herein.

41. Plaintiff seeks a judgment for each cause of action and against all defendants for fair and reasonably compensatory damages in an amount to be determined by a jury.

42. Plaintiff seeks a judgment for each cause of action and against all defendants for punitive damages in an amount to be determined by a jury.

43. Plaintiff seeks all damages recoverable for the claims asserted herein, including, but not limited to past and future medical expenses; pecuniary injuries suffered by the Plaintiff, including job loss, past and future lost wages and loss of earning capacity; pain and suffering, past and future, associated with Plaintiff's injuries; and mental anguish, both past and future.

44. Plaintiff furthermore seeks any other relief this Honorable Court finds to be just, proper, and equitable.

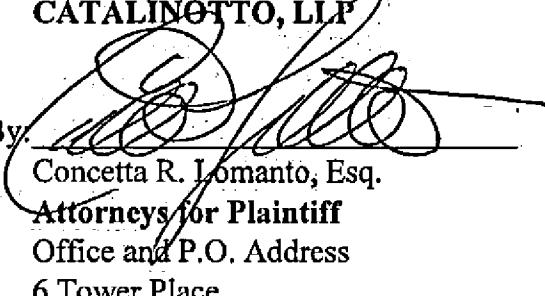
WHEREFORE, Plaintiff hereby demands judgment against the Defendant in an amount which will fairly compensate the Plaintiff, which amount exceeds the jurisdictional limits of all lower Courts, which would otherwise have jurisdiction over this action, on the causes of action alleged herein, together with Plaintiff's past and future medical expenses; pain and suffering, past and future, associated with Plaintiff's injuries; and mental anguish, both past and future,

costs and disbursements of this action; and for such other and further relief as may be just and proper.

Dated: August 23, 2019

**MAYNARD, O'CONNOR, SMITH &
CATALINOTTO, LLP**

By:


Concetta R. Lomanto, Esq.
Attorneys for Plaintiff
Office and P.O. Address
6 Tower Place
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Telephone (518) 465-3553

To: Robert C. Geel
1732 Tarrytown Road
Feura Bush, NY 12067

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

-----X

JANE DOE,

Plaintiff,

AFFIRMATION

-against-

Index No.:

ROBERT C. GEEL,

Defendant.

-----X

STATE OF NEW YORK

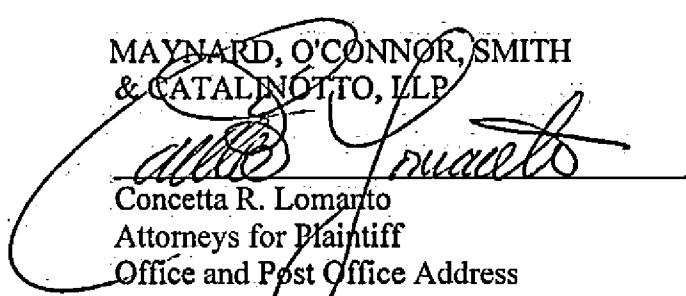
COUNTY OF ALBANY ss:

I, the undersigned, am an attorney admitted to practice in the courts of New York State, and say that:

I am the attorney of record, or of counsel with the attorney(s) of record, for the plaintiff(s). I have read the annexed VERIFIED COMPLAINT, know the contents thereof and I believe them to be true, based upon the facts and information contained in deponent's file. The reason I make this affirmation instead of the plaintiff is because the plaintiff is not within the County of Albany where affiant's law office is located.

Dated: August 23, 2019

MAYNARD, O'CONNOR, SMITH
& CATALINOTTO, LLP


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